IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE JURISDICTION

APPEAL FROM ORDER NO.927 OF 2005

Utamchand Amichand Birawat .. Appellant

vs

The Munic.Corpn.of Gr.Mumbai .. Respondents

Mr. J.V.Parmar for Appellant

Ms.Geeta Joglekar for Respondents

..

CORAM : B.H.MARLAPALLE, J

DATE: 27th September, 2005

P.C.

1. Heard. Admit.

2. Admittedly, the Notice of Motion is made returnable on 30th September, 2005 before the trial Court. This appeal has been filed being aggrieved that the trial Court did not grant ad interim order protecting the alleged collapsible gate which is the subject matter of the notice issued under section 351 of the Mumbai Municipal Corporation Act, 1888.

3. Ms Joglekar, learned counsel appearing for the municipal corporation states that officers of the corporation shall not act on the notice till 30th September, 2005. Hence, appeal is disposed of.

(B.H.Marlapalle, J)